

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

PRISON LEGAL NEWS,  
Plaintiff

V.

SHERIFF FREDDIE POOR, individually §  
and in his official capacity as the Sheriff of §  
Galveston County, GEAN LEONARD, §  
R. C. DELACRUZ, JR., and GALVESTON §  
COUNTY §

CIVIL ACTION NO. 3:10-cv-00251

## AGREED MOTION TO DISMISS INDIVIDUAL DEFENDANTS

The Plaintiff, having resolved all claims with all Defendants, respectfully moves the Court to dismiss with prejudice Defendants Freddie Poor (in his individual capacity only), Gean Leonard, and R.C. Delacruz, Jr., pursuant to Federal Rule of Civil Procedure 41(a)(2). This motion requests dismissal of these defendants, in their individual capacities, only. The Parties intend to file a separate agreed stipulated judgment to dispose of Plaintiff's claims against Freddie Poor (in his official capacity as the Sheriff of Galveston Co.) and Galveston County.

Therefore, Plaintiff requests this motion be granted and all claims against Defendants Freddie Poor (in his individual capacity only), Gean Leonard, and R.C. Delacruz, Jr. be dismissed with prejudice.

Dated: February 16, 2011.

Respectfully Submitted,

/s/ Scott Medlock

Scott Medlock

State Bar No. 24044783

James C. Harrington

State Bar No. 09048500

Wayne Krause

State Bar No. 24032644

TEXAS CIVIL RIGHTS PROJECT  
1405 Montopolis Dr.

Austin, TX 78741  
(512) 474-5073 [phone]  
(512) 474-0726 [fax]

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I hereby certify I have conferred with counsel for the Defendants, Don Glywasky, and he is unopposed to the relief requested.

/s/ Scott Medlock  
Scott Medlock

CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following to counsel for the Defendants, Don Glywasky.

/s/ Scott Medlock  
Scott Medlock